



Singapore

Country Reports on Human Rights Practices - [2001](#)

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Singapore is a parliamentary republic in which politics is dominated overwhelmingly by the People's Action Party (PAP), which has held power since the country gained autonomy from the United Kingdom in 1959. Opposition parties exist and regularly contest elections; however, after the October dissolution of Parliament and the subsequent November elections, the PAP holds 82 of 84 elected parliamentary seats and all ministerial positions. Elections take place at regular, constitutionally mandated intervals. The judiciary is efficient and constitutionally independent; however, there has been a perception that it reflects the views of the executive in politically sensitive cases as government leaders historically have utilized court proceedings successfully, in particular defamation suits, against political opponents and critics.

The police are responsible for routine security within the country and for the protection of the borders, including action against illegal immigrants and patrolling the island's territorial waters. The military forces are responsible for external defense. The Internal Security Department (ISD) in the Ministry of Home Affairs is authorized by the Internal Security Act (ISA) to counter such perceived threats to the nation's security as espionage, international terrorism, threats to racial and religious harmony, and subversion. The civilian Government maintains effective control over all security activities. Some members of the security forces committed human rights abuses.

The country has a free market economic system. The country's population is 4,000,000. Financial and business services industries, manufacturing of semiconductors and telecommunications equipment, and petroleum refining and petrochemical production are key sectors of the economy. The Government has liberalized broadly market access for telecommunications and financial services providers. The country is in a recession. During the year, economic growth declined sharply as electronic exports fell. The economy shrank by 2.2 percent during the year, compared to a nearly 10 percent growth rate in 2000. Per capita gross domestic product was estimated at \$23,015. Wealth is distributed broadly and the unemployment rate is low.

The Government generally respected the human rights of its citizens; however, there were significant problems in some areas. The Government has wide powers to limit citizens' rights and to handicap political opposition. There were a few instances of police abuse of detainees; however, the Government investigates and punishes those found guilty, and the media fully cover allegations of mistreatment. Caning, in addition to imprisonment, is a routine punishment for numerous offenses. The Government continues to rely on preventive detention to deal with espionage, terrorism, organized crime, and narcotics. The authorities sometimes infringe on citizens' privacy rights. The Government continues to restrict freedom of speech and the press significantly and to limit other civil and political rights. Government pressure to conform results in the practice of self-censorship among journalists. Government leaders historically have utilized court proceedings, in particular defamation suits, against political opponents and critics. These suits, which consistently have been decided in favor of government plaintiffs, have chilled political speech and action and created a perception that the ruling party uses the judicial system for political purposes. J.B. Jeyaretnam, a nonelected opposition member of Parliament, lost his seat in July when declared bankrupt due to his inability to pay defamation damages awarded to ruling party members in previous years. Jeyaretnam also faced renewed defamation lawsuits stemming from the 1997 election filed by Senior Minister Lee Kuan Yew and six other ruling party plaintiffs. Also during the year, Senior Minister Lee and Prime Minister Goh Chok Tong sued an opposition leader, Chee Soon Juan, for defamation based upon comments Chee made during a campaign stop before the November 3 general election. During the campaign, Chee issued a public apology, admitting that he had made incorrect statements of fact. In December Chee retracted his apology and countersued the Senior Minister for defamation. Both suits were pending in court at year's end.

There was a moderate level of ongoing debate in newspapers and Internet chat groups on various public

issues. A Speakers' Corner continued to provide a public forum for persons to speak on a range of issues. However, government restrictions on persons wishing to use it inhibited their ability to speak freely. After questioning two persons who took part in a December 2000 program at the Corner, police issued a letter of warning and a notice in January that events at the Corner that might be viewed as demonstrations or rallies required permits. The Government significantly restricts freedom of assembly and association. Jehovah's Witnesses and the Unification Church are banned; however, freedom of religion otherwise generally is respected. There is some legal discrimination against women, which affects benefits for children and husbands in limited cases. The Government has moved actively to counter societal discrimination against women and minorities, but violence and some discrimination against women and reports of trafficking in persons for the purpose of prostitution persist. Foreign workers are vulnerable to mistreatment and abuse.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of arbitrary or unlawful deprivations of life committed by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits torture; however, there were occasional instances of police mistreatment of detainees, and there were a few reports of police abuse during the year. Persons who allege mistreatment by the police may bring criminal charges against government officials who are alleged to have committed such acts. The media report fully on allegations of police abuse of those arrested, and the Government takes action against abusers. The press reported that approximately 10 law enforcement officers were jailed for using excessive force on prisoners and suspects between 1995 and 1999. In July four prison guards were sentenced to 9 months in prison for handcuffing and beating a prisoner in January 2000. In September a police corporal was sentenced to 9 months in prison for kicking a man in July 2000. In 1999, the last year for which statistics are available, 56 complaints of police abuse of detainees were filed, of which 7 were substantiated.

The Penal Code mandates caning, in addition to imprisonment, as punishment for some 30 offenses involving the use of violence or threat of violence against a person, such as rape and robbery, and also for such nonviolent offenses as vandalism, drug trafficking, and violation of immigration laws. Caning is discretionary for convictions on other charges involving the use of criminal force, such as kidnapping or voluntarily causing grievous hurt. Women, men over age 50 or under age 16, and those determined unfit by a medical officer are exempted from punishment by caning. Although statistics for the year were not available, caning is a commonly administered punishment within the stipulations of the law.

Prison conditions are believed to meet international standards. The Government does not allow human rights monitors to visit prisons.

d. Arbitrary Arrest, Detention, or Exile

The law provides that, in most instances, arrests are to be carried out following the issuance of an authorized warrant; however, some laws provide for arrests without warrants. Those arrested must be charged before a magistrate within 48 hours. The great majority of those arrested are charged expeditiously and brought to trial. Those who face criminal charges are allowed counsel, and the Law Society of Singapore administers a criminal legal aid plan for those who cannot afford to hire an attorney. A functioning system of bail exists for persons who are charged. In death penalty cases, the Supreme Court appoints two attorneys for defendants who are unable to afford their own counsel.

Some laws--the Internal Security Act (ISA), the Criminal Law (Temporary Provisions) Act (CLA), the Misuse of Drugs Act (MDA), and the Undesirable Publications Act (UPA)--have provisions for arrest without a warrant. The ISA is employed primarily against suspected security threats. Historically, these threats have been Communist-related, but the ISA was employed against suspected terrorists during the year. Opposition politicians have called for the abolition of the ISA, but the Government has rejected these calls, claiming that citizens accept the act as an element of the nation's security. The CLA historically has been employed

primarily against suspected organized crime and drug trafficking.

The ISA and the CLA permit preventive detention without trial for the protection of public security or safety or the maintenance of public order. The ISA gives broad discretion to the Minister for Home Affairs to order detention without charge at the direction of the President, if the latter determines that a person poses a threat to national security. The initial detention may be for up to 2 years and may be renewed without limitation for additional periods up to 2 years at a time. Detainees have a right to be informed of the grounds for their detention and are entitled to counsel. However, they have no right to challenge the substantive basis for their detention through the courts. The ISA specifically excludes recourse to the normal judicial system for review of a detention order made under its authority. Instead detainees may make representations to an advisory board, headed by a Supreme Court justice, which reviews each detainee's case periodically and must make a recommendation to the President within 3 months of the initial detention. The President may concur with the advisory board's recommendation that a detainee be released prior to the expiration of the detention order but is not obligated to do so.

No one was detained under the ISA from 1989 through 1996. Two persons were detained in 1997, and four in 1998, all for alleged espionage. Of these six detainees, five were released after several months. One of those arrested in 1998 remained in detention at year's end. There were no further reports of detainees under the ISA until December, when 15 suspected Islamic militants, some of whom are alleged to have ties to the Al-Qaeda terrorist organization, were detained. Thirteen of these subsequently were ordered detained for 2 years, while two others were released with restrictions on travel and contacts.

The CLA comes up for renewal every 5 years; it was strengthened and extended for another 5 years in April 1999. Under its provisions, the Minister for Home Affairs may order preventive detention, with the concurrence of the Public Prosecutor, for an initial period of 1 year, and the President may extend detention for additional periods up to 1 year at a time. The Minister must provide a written statement of the grounds for detention to the Criminal Law Advisory Committee (CLAC) within 28 days of making the order. The CLAC then reviews the case at a private hearing. CLAC rules require detainees to be notified of the grounds of their detention at least 10 days prior to the hearing. The detainee may represent himself or be represented by a lawyer. After the hearing, the Committee makes a written recommendation to the President, who may cancel, confirm, or amend the detention order. However, persons detained under the CLA may have recourse to the courts via an application of a writ of habeas corpus. Persons detained without trial under the CLA are entitled to counsel but only may challenge the substantive basis for their detention to the CLAC. The CLA is used almost exclusively in cases involving narcotics or criminal organizations and has not been used for political purposes. According to official figures, less than 400 persons were detained under the provisions of the CLA as of June 2000, the most recent year for which information is available.

Persons who allege mistreatment while in detention may bring criminal charges against government officials who are alleged to have committed such acts.

Both the ISA and the CLA contain provisions that allow for such modified forms of detention as curfews, residence limitations, requirements to report regularly to the authorities, limitations on travel, or, in the case of the ISA, restrictions on political activities and association.

The MDA permits detention without trial. Under the MDA, the director of the CNB also may commit--without trial--suspected drug abusers to a drug rehabilitation center for a 6 month period, which is extendable by a review committee of the institution for up to a maximum of 3 years. At the end of 1998, the most recent year for which there are statistics, almost 5,000 persons were detained under the provisions of the MDA for treatment and rehabilitation. Under the Intoxicating Substances Act, the CNB director may order the treatment for rehabilitation of a person believed to be an inhalant drug abuser for up to 6 months.

In November a man was arrested for an Internet posting which authorities alleged was an "attempt to incite violence or disobedience to the law" during the general election. The posting recalled and criticized a government decision that ruling party leaders had not violated the law by visiting polling stations during the 1997 election. The posting then rhetorically urged citizens to court arrest by trying to enter polling areas for similar visits. After his arrest, a judge ordered a psychiatric evaluation for the man. Prosecutors later withdrew the charges after the evaluation found the man to be suffering from a longstanding mental disorder. His wife agreed with a request by prosecutors that he undergo psychiatric treatment.

The Constitution prohibits exile, and the Government does not use it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respects this provision; however, laws that limit judicial review allow for some restrictions in practice. Some judicial officials, especially Supreme Court judges, have ties to the ruling party and its leaders. However, these ties generally do not appear to influence the judiciary's independence. The President appoints judges to the Supreme Court on the recommendation of the Prime Minister in consultation with the Chief Justice. The President also appoints subordinate court judges on the recommendation of the Chief Justice. The term of appointment is determined by the Legal Service Commission, of which the Chief Justice is the chairman. The 1989 constitutional amendments that eliminated judicial review of the objective grounds for detention under the ISA and subversion laws allow the Government to restrict, or even eliminate, judicial review in such cases and thereby restrict, on vaguely defined national security grounds, the scope of certain fundamental liberties provided for in the Constitution. Under the ISA and the CLA, the President and the Minister of Home Affairs have substantial de facto judicial power, which explicitly (in the case of the ISA) or implicitly (in the case of the CLA) excludes normal judicial review.

Government leaders historically have used court proceedings, in particular defamation suits, against political opponents and critics (see Sections 2.a. and 3). Both this practice and consistent awards in favor of government plaintiffs have raised questions about the relationship between the Government and the judiciary and led to a perception that the judiciary reflects the views of the executive in politically sensitive cases. Two cases from the 1997 elections--defamation actions against Workers' Party (WP) politicians Tang Liang Hong and J.B. Jeyaretnam for statements they made during the campaign (see Sections 2.a. and 3)--perpetuated the perception of undue judicial sympathy for government plaintiffs.

The judicial system has two levels of courts: The Supreme Court, which includes the High Court and the Court of Appeal; and the subordinate courts. Subordinate court judges and magistrates, as well as public prosecutors, are civil servants whose specific assignments are determined by the Legal Service Commission, which can decide on job transfers to any of several legal service departments. The subordinate courts handle the great majority of civil and criminal cases in the first instance. The High Court may hear any civil or criminal case, although it generally limits itself to civil matters involving substantial claims and criminal matters carrying the death penalty or imprisonment of more than 10 years. The Court of Appeal is the highest and final court of review for matters decided in the subordinate courts or the High Court. In addition the law provides for Islamic courts whose authority is limited to Islamic family law.

If they wish, Supreme Court Justices may remain in office until the mandatory retirement age of 65, after which they may continue to serve at the Government's discretion for brief, renewable terms at full salary. The Constitution has a provision for the Prime Minister or the Chief Justice to convene a tribunal in order to remove a justice "on the ground of misbehavior or inability...to properly discharge the functions" of office, but it never has been used.

The judicial system provides citizens with an efficient judicial process. In normal cases, the Criminal Procedures Code provides that a charge against a defendant must be read and explained to him as soon as it is framed by the prosecution or the magistrate. Defendants enjoy a presumption of innocence and the right of appeal in most cases. They have the right to be present at their trials and to be represented by an attorney; the Law Society of Singapore administers a criminal legal aid plan for those who cannot afford to hire an attorney. Defendants also have the right to confront witnesses against them, to provide witnesses and evidence on their own behalf, and to review government-held evidence relevant to their cases. Trials are public and by judge. There are no jury trials.

The Constitution extends these rights to all citizens. However, persons detained under the ISA or CLA are not entitled to a public trial. In addition proceedings of the advisory board under the ISA and CLA are not public (see Section 1.d.).

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution does not address privacy rights. The Government generally respects the privacy of homes and families; however, it has a pervasive influence over civic and economic life and sometimes uses its wide discretionary powers to infringe on these rights. Normally, the police must have a warrant issued by a magistrate's court to conduct a search; however, they may search a person, home, or property without a warrant if they decide that such a search is necessary to preserve evidence. The Government has wide discretionary powers under the ISA, CLA, MDA, and UPA to conduct searches without a warrant if it determines that national security, public safety or order, or the public interest are at issue. Defendants may request judicial review of such searches.

Divisions of the Government's law enforcement agencies, including the Internal Security Department and the Corrupt Practices Investigation Board, have wide networks for gathering information and highly sophisticated capabilities to monitor telephone and other private conversations and conduct surveillance. No court warrants are required for such operations. It is believed that the authorities routinely monitor telephone conversations and use of the Internet; however, there were no confirmed reports of such practices during the year. The law permits government monitoring of Internet use. It is widely believed that the authorities routinely conducted surveillance on some opposition politicians and other government critics; however, no such reports were substantiated during the year.

The Government is active in some areas normally considered private, in pursuit of what it considers the public interest. For example, the Government enforces ethnic ratios for publicly subsidized housing, where the majority of citizens live and own their own units, a policy designed to achieve an ethnic mix more or less in proportion to that in the society at large.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and expression but permits official restrictions on these rights, and in practice the Government significantly restricts freedom of speech and of the press. The Government's authoritarian style has fostered an atmosphere inimical to free speech and a free press. Government intimidation and pressure to conform result in the practice of self-censorship among journalists; however, there was some limited progress towards greater openness during the year, including a moderate level of ongoing debate in newspapers and Internet chat groups on various public issues.

Under the ISA, the Government may restrict or place conditions on publications that incite violence, that counsel disobedience to the law, that might arouse tensions among the various segments of the population (races, religions, and language groups), or that might threaten national interests, national security, or public order. While the ISA rarely has been invoked in recent years, political opposition and criticism remain restricted by the Government's authority to define these powers broadly. Occasional government references during controversies to speech that it considers "out-of-bounds" are understood to be implicit threats to invoke the ISA; however, these limits are not codified, and journalists and others generally believe that these limitations have shifted towards greater tolerance in recent years.

Government leaders often have challenged publicly the "Western model" of journalism, under which the media holds an antagonistic relationship with the Government, and advocated that news media should place primary stress on supporting the goals of the elected leadership and on helping maintain social and religious harmony. In addition strict defamation and press laws and the Government's demonstrated willingness to defend vigorously against what it considers personal attacks on officials, lead journalists, and editors sometimes to moderate or limit what is published.

Under the Public Entertainment and Meetings Act (PEMA), a permit is required for virtually any form of public speech or entertainment (see also Section 2.b.). The 1999 convictions of Chee Soon Juan, Secretary-General of the opposition Singapore Democratic Party, for giving two public speeches without a permit, sparked widespread discussion in the press by the public and officials regarding the possibility for relaxing these restrictions. Chee had asserted that he had no alternative but to violate the act, since his earlier applications for a permit either were refused or approved so late that the event had to be canceled. The authorities rejected these arguments, stating that they routinely had processed Democratic Party applications in 3 weeks, and that delay by organizers in submitting applications meant that permits were not issued until close to the date of the event.

As a result of this debate, the Government decided to institute a Speakers' Corner, which opened in September 2000; however, government restrictions on speakers still limited their ability to speak freely. Prospective speakers, who must be citizens, must show their identification cards and register in advance with police, but need not obtain a public entertainment license. There is a ban on sound amplification at the Speakers' Corner. A list of registered speakers is posted on a notice board outside the police station. While speech topics are not required to be declared in advance, government regulations governing the Speakers' Corner state that, "the speech should not be religious in nature and should not have the potential to cause feelings of enmity, ill will, or hostility between different racial or religious groups." A variety of persons, including politicians, social activists, and ordinary citizens, availed themselves of the Speakers' Corner during the year. In January, police questioned and warned two persons regarding a December 10, 2000, "Human Rights Day" program at the Speakers' Corner. Authorities viewed the program as improper because of the organizers' efforts to advertise the event and to elicit a response from the crowd during remarks. In March the police issued a warning letter to one of the two persons questioned. Additionally, police issued a public notice

that activities at the Speakers' Corner which constitute rallies, demonstrations, or parades require public permits, and that violators would be subject to prosecution.

The Government strongly influences both the print and the electronic media. Singapore Press Holdings Ltd. (SPH), a private holding company with close ties to the Government, owns all general circulation newspapers in the four official languages--English, Chinese, Malay, and Tamil. The Government must approve, and can remove, the holders of SPH management shares, who have the power to appoint or dismiss all directors or staff. As a result, while newspapers print a large and diverse selection of articles from domestic and foreign sources, their editorials, coverage of domestic events, and coverage of sensitive foreign relations issues closely reflect government policies and the opinions of government leaders. However, columnists' opinions, editorials, and letters to the editor express a range of moderately phrased opinions on public issues.

Government-linked companies and organizations operate all broadcast television channels and almost all radio stations. Only one radio station, the British Broadcasting Corporation (BBC) World Service, is completely independent of the Government. Some Malaysian and Indonesian television and radio programming can be received, but satellite dishes are banned, with few exceptions. However, households subscribing to cable have access to three foreign television news channels and many entertainment channels, including some that include news programs.

An increasing number of foreign media operations are located within the country. The law requires foreign publications that report on politics and current events in Southeast Asia to register and post a \$128,000 (SD234,000) bond and name a person in the country to accept legal service. These requirements strengthen the Government's control over foreign media. Under the Newspaper and Printing Presses Act, the Government may limit the circulation of foreign publications that it determines interfere with domestic politics. The importation of some publications is barred, although a wide range of international magazines and newspapers may be purchased uncensored; however, newspapers printed in Malaysia may not be imported (see Section 1.f.). The weekly circulation of the Asian Wall Street Journal (AWSJ) and the Far Eastern Economic Review (FEER), both foreign publications, is limited (or "gazetted"). Asiaweek also had been subject to limits prior to ceasing publication in December. The fact that the Government gradually has raised the allowed weekly circulation of the publications corresponding more or less to actual demand allows the Government to maintain this aspect of control over the press while still maintaining the appearance of flexibility. The Government also may ban the circulation of domestic and foreign publications under provisions of the ISA and the UPA. In April Parliament passed an amendment to the Singapore Broadcasting Act that empowers the Minister for Information and the Arts to "gazette" any foreign broadcaster deemed to be engaging in domestic politics. Once gazetted, the broadcaster is required to obtain express permission from the Minister to continue broadcasting in the country. The broadcaster also could be subject to restrictions on the number of households receiving its programming, or be fined up to \$54,797 (SD100,000). In October a foreign journalist based in the country initially had trouble getting a work visa renewed due to what was deemed "unfriendly" reporting. However, the journalist subsequently was able to get the visa renewed and remained in the country at year's end.

During the last decade, opposition politicians J.B. Jeyaretnam, Chee Soon Juan, and Tang Liang Hong have been sued for defamation by ruling party leaders. Jeyaretnam and Chee have been sued for defamation several times, which the Government argues has occurred because they repeatedly have defamed ruling party leaders (who then act to clear their names). Critics charge that government leaders use defamation lawsuits or the threat of such actions to discourage public criticism and intimidate opposition politicians and the press. The unbroken success of government leaders' suits has fostered caution about political speech among the public and a culture of self-censorship within the news media and has demonstrated the danger of engaging in opposition politics. During the year, Senior Minister Lee Kuan Yew and Prime Minister Goh Chok Tong sued opposition leader Chee Soon Juan for defamation based upon comments Chee made during a campaign stop before the November 3 general election. During the campaign, Chee issued a public apology and countersued the Senior Minister for calling him a "liar" and a "cheat." These suits were pending before the courts at year's end. In July J.B. Jeyaretnam, an opposition nonelected Member of Parliament (M.P.) from the Worker's Party (WP), lost an appeal and was declared bankrupt for failure to pay the defamation damages ordered against him in earlier years; the bankruptcy judgment stemmed from an article in a WP publication. The declaration of bankruptcy also caused Jeyaretnam to lose his parliamentary seat (see Section 3). During the year, Senior Minister Lee Kuan Yew and six other ruling party figures renewed separate defamation suits against opposition member of Parliament J.B. Jeyaretnam for remarks he made during the 1997 election campaign; those same remarks were the basis for a 1998 judgment in favor of the Prime Minister. Jeyaretnam lost an appeal to have the suits dismissed due to the length of time since 1997, when the plaintiffs originally filed notice of intent to sue.

The Singapore Broadcasting Authority (SBA) censors broadcast media and Internet sites. The Ministry of Information and the Arts (MITA) censors all other media, including movies, video materials, computer games, and music. Both SBA and MITA develop censorship standards with the help of a citizen advisory panel. The

ISA, the UPA, and the Films Act allow the ban, seizure, censorship, or restriction of written, visual, or musical materials by these two agencies if they determine that such materials threaten the stability of the State, are pro-Communist, contravene moral norms, are pornographic, show excessive or gratuitous sex and violence, glamorize or promote drug use, or incite racial, religious, or linguistic animosities. Polls indicate that there is strong public support for continued censorship of sex and violence in films. There is a list of banned films, which is not made public. Certain films that might be barred from general release may be allowed limited showings, either censored or uncensored, with a special rating.

The list of banned English-language publications consists primarily of sexually oriented materials, but also includes some religious and political publications. In May, singer Janet Jackson's album "All for You" was banned officially by the Ministry of Information and the Arts due to the sexually explicit lyrics of one of its tracks; Jackson declined to delete the track from the album. The ban was upheld over an appeal submitted by the local distributor.

The Films Act bans political advertising using films or videos, as well as "films directed towards any political end." In June police warned three lecturers at a local university that a documentary they made about opposition politician J.B. Jeyaretnam may have violated the Films Act. The three were told that they could be charged in court if they went ahead with a planned screening of the film at the Singapore International Film Festival. They submitted written apologies for making the film and withdrew it from the Festival. The Government justified the ban as protecting politics from sensationalism, innuendo, and inaccuracy, but one effect is to restrict further an already limited range of what was deemed acceptable political discourse (see Section 3). Restrictions strictly control the types of campaign materials that may be distributed by or about candidates and parties during an election. During the 1997 election, authorities required two opposition parties to remove information on candidates from their Web sites, because regulations did not provide for Internet distribution of campaign materials. In August the Government amended the Parliamentary Elections Act to allow political parties to place some election materials on the Internet, while prohibiting nonparty Web sites from campaigning for candidates. Implementing regulations, which spell out more clearly what is permitted and prohibited, were promulgated in October. Opposition politician Chee Soon Juan alleged in 1999 that prominent bookstores, pressured by the Government, refused to carry copies of a book he authored. He also alleged that, after his book was printed in Malaysia, the Government would not allow its import. The Government stated that these allegations were false and that the book never had been denied entry into the country.

The SBA regulates access to material on the Internet, using a framework of Web site licenses to encourage accountability and responsible use of the Internet. It also regulates Internet material by licensing Internet service providers who install "proxy servers" through which local users must route their Internet connections. Such services act as a filter for content that the Government considers objectionable and can even block access to certain sites. While the Government does not consider regulation of the Internet to be censorship, the SBA directs service providers to block access to Web pages that, in the Government's view, undermine public security, national defense, racial and religious harmony, and public morals. The SBA is believed to have ordered the blocking of approximately 100 specific Web sites, most or all of which the Government considered pornographic. A SBA Internet Code of Practice further specifies what types of material are forbidden and specifies the responsibilities of Internet providers. The SBA has stated that it has no intention of monitoring Internet or electronic mail use but intends to block access to material that contains pornography or excessive violence or that incites racial or religious hatred.

In July the SBA ordered Sintercom, which ran an online discussion forum that included some political postings, to register with the authorities as a "political" Web site. Once registered as a political Web site, an entity may face sanctions, including fines, if it violates the SBA's Code of Practice. After an unsuccessful appeal, Sintercom complied with the request. Soon thereafter, the founder and sponsor of the site shut it down, citing fatigue after 7 years on the job.

All public institutions of higher education and political research institutions are linked closely to the Government. Although faculty members technically are not government employees, in practice they are subject to potential government influence. Academics speak and publish widely, and engage in debate on social and political issues. However, they are aware that public comments outside the classroom or academic publications that venture into the prohibited areas--criticism of political leaders or sensitive social and economic policies, or comments that might disturb ethnic or religious harmony or that appear to advocate partisan political views--could subject them to sanctions. Publications by local academics and members of research institutions rarely deviate substantially from government views.

b. Freedom of Peaceful Assembly and Association

The Constitution grants citizens the right of peaceful assembly but permits Parliament to impose restrictions "as it considers necessary or expedient" in the interest of security, and the Government restricts this right in practice. Assemblies of more than five persons in public, including political meetings and rallies, must have

police permission (see Section 2.a). Spontaneous public gatherings or demonstrations virtually are unknown. The Government closely monitors political gatherings regardless of the number of persons present. Persons who wish to speak at a public function, excluding functions provided by or under the auspices of the Government, must obtain a public entertainment license from the police. However, new regulations effective in March exempted some cultural events (such as Chinese operas or lion dances) from obtaining permits, substituting a requirement for 7 days advance notification to police. In the past, opposition politicians routinely experienced delays before being notified of decisions on their applications, although the Government claims that the delays came only when the applications were submitted late.

In April the Government approved an application by a nongovernmental organization (NGO) to hold an open air rally to raise money to help opposition politician J.B. Jeyaretnam pay off his defamation suit debts. Police initially had rejected the request until organizers hired private security guards to assist with crowd control. In August police informed the opposition Singapore Democratic Party (SDP) that it would have to meet similar requirements for crowd control before authorities would approve a rally to be held at an outdoor stadium. After initially declining to comply with these requirements, on the grounds that they were expensive and burdensome, the SDP hired the guards and held its rally in mid-September.

In May 2000, authorities denied approval for a forum on gays and lesbians, citing the illegality of homosexual acts. In December 2000, police arrested and charged 15 Falun Gong adherents for conducting a protest without a permit; 2 of those arrested were citizens. The 15 persons arrested had participated in an assembly of 60 Falun Gong members who sought to draw attention to the arrest and killing of Falun Gong members in China. The group had not sought a permit, asserting that police had not responded to their previous efforts to obtain permits; the authorities stated that these assertions were untrue. In March seven of the group were sentenced to 4 weeks in jail for refusing to hand over placards to the police. The other eight, who were charged with assembling without a permit, were fined \$540 each (\$\$1000). Of the six PRC nationals who were imprisoned, authorities later cancelled the immigration status of five, including one permanent resident, and required them to depart the country; the remaining PRC citizen already had departed the country.

The Constitution provides for freedom of association but permits Parliament to impose restrictions that "it considers necessary or expedient" in the interest of security, and the Government restricts this right in practice. Most associations, societies, clubs, religious groups, and other organizations with more than 10 members must be registered with the Government under the Societies Act. The Government denies registration to groups that it believes are likely to have been formed to assemble for unlawful purposes or for purposes prejudicial to public peace, welfare, or public order. The Government has absolute discretion in applying this broad, vague language to register or dissolve societies. The Government prohibits organized political activities except by groups registered as political parties or political organizations. This prohibition limits opposition activities, and, along with other factors, contributes to restrict the scope of unofficial political expression and action (see Section 3). The prohibition affects the PAP less because of its long domination of the Government and its overwhelming parliamentary majority; the PAP is able to use nonpolitical organizations such as residential committees and neighborhood groups for political purposes far more extensively than can opposition political parties. In March two NGO's that often took positions critical of the government were declared political organizations. Political parties and organizations are subject to strict financial regulations, including a ban on receiving foreign donations.

There are few NGO's, apart from ostensibly nonpolitical organizations such as religious groups, ethnically affiliated organizations, and providers of welfare services. The limiting effect of the law on the formation of publicly active organizations is, in large part, responsible for this situation.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government bans some religious groups. The Constitution provides that every citizen or person in the country has a constitutional right to profess, practice, or propagate his religious belief so long as such activities do not breach any other laws relating to public order, public health, or morality.

There is no state religion. However, all religious groups are subject to government scrutiny and must be registered legally under the Societies Act. The Maintenance of Religious Harmony Act (MRHA), which was prompted by actions that the Government perceived as threats to religious harmony, including aggressive and "insensitive" proselytizing and the "mixing of religion and politics," gives the Government the power to restrain leaders and members of religious groups and institutions from carrying out political activities, "exciting disaffection against" the Government, creating "ill-will" between religious groups, or carrying out subversive activities. Violation of a restraining order issued under the MRHA is a criminal offense. The act also prohibits judicial review of its enforcement or of any possible denial of rights arising from it.

The Government plays an active but limited role in religious affairs. It does not tolerate speech or actions, including ostensibly religious speech or actions, which affect racial and religious harmony, and sometimes issues restraining orders barring persons from taking part in such activities. The Presidential Council for Religious Harmony must review such orders and make recommendations to the President on whether to confirm, cancel, or alter a restraining order. The Presidential Council also examines all pending legislation to ensure that it is not disadvantageous to a particular group, reports to the Government on matters that affect any racial or religious community, and investigates complaints. The Government also attempts to ensure that citizens have ready access to religious organizations that are associated traditionally with their ethnic groups by assisting religious institutions to find space in publicly subsidized housing, in which the great majority of citizens live. The Government maintains a semiofficial relationship with the Muslim community through the Islamic Religious Council (MUIS), which was established under the Administration of Muslim Law Act. The MUIS advises the Government on the Muslim community's concerns and has some regulatory authority over Muslim religious matters. The Government provides some financial assistance to build and maintain mosques.

Under the Societies Act, the Government has banned meetings of Jehovah's Witnesses and the Unification Church. The Government deregistered and banned Jehovah's Witnesses in 1972 on the grounds that its approximately 2,000 members refuse to perform military service (which is obligatory for all male citizens), salute the flag, or swear oaths of allegiance to the State. The Government regards such refusals as prejudicial to public welfare and order. While the Government has not outlawed the profession or propagation of the beliefs of Jehovah's Witnesses and does not arrest members merely for being believers, the result of deregistration has been to make meetings of Jehovah's Witnesses illegal. The Government also has banned all written materials published by the Jehovah's Witnesses' publishing affiliates, the International Bible Students Association and the Watch Tower Bible and Tract Society. In practice this has led to the confiscation of Bibles published by the group, even though publishing Bibles has not been outlawed. A person in possession of banned literature can be fined up to \$1,100 (SD2,000), and for holding a meeting a person can be fined up to \$2,200 (SD4,000). During the year, two persons were arrested for possession of banned Jehovah's Witness literature but were released by authorities without formal charges being filed.

Since the beginning of 2000, public secondary schools have suspended indefinitely 12 students who were members of Jehovah's Witnesses for refusing to sing the national anthem or participate in the flag ceremony. In April one long time public school teacher who is a Jehovah's Witness resigned after being threatened with dismissal (and disciplinary action) for refusing to participate in singing the national anthem.

The Holy Spirit Association for the Unification of World Christianity, also known as the Unification Church, was dissolved in 1982 by the Minister for Home Affairs. Missionaries, with the exception of members of Jehovah's Witnesses and representatives of the Unification Church, are permitted to work and to publish and distribute religious texts. However, while the Government does not prohibit evangelical activities in practice, it discourages activities that might upset the balance of intercommunal relations.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution grants citizens the right to move freely throughout the country; however, while the Government generally respects this right in practice, it limits it in a few respects. For example, citizens' choice of where to live may be limited by the Government's policy of assuring ethnic balance in publicly subsidized housing, in which the great majority of citizens live (see Section 1.f.). The Government requires all citizens and permanent residents over the age of 15 to register and to carry identification cards. The Government may refuse to issue a passport and has done so in the case of former ISA detainees. Under the ISA, a detainee's movement may be restricted, although this provision normally is a part of the process of relaxing the conditions of detention and has been used very seldom in recent years.

The right of voluntary repatriation is extended to holders of national passports. The Government actively encourages citizens living overseas to return home or at least to maintain active ties with the country. A provision of law for the possible loss of citizenship by citizens who reside outside the country for more than 10 years consecutively seldom is used.

Male citizens who still have national service reserve obligations (normally until age 40 for enlisted men and age 50 for officers) must advise the Ministry of Defense if they plan to travel abroad for less than 6 months and must receive an exit permit for trips over 6 months. During the year, the Government significantly relaxed the regulations governing international travel prior to enlistment by boys aged 11 and above. Boys aged 11 to 16 1/2 years are allowed passports that are valid for 2 years and no longer are required to obtain exit permits. After the age of 16 1/2 until the age of enlistment, male citizens are granted 1-year passports and must apply for exit permits for travel that exceeds 3 months in duration.

The law stipulates that former members of the Communist Party of Malaya (CPM) residing outside the country

must apply to the Government to be allowed to return. They must renounce communism, sever all organizational ties with the CPM, and pledge not to engage in activities prejudicial to the State's internal security. In addition the law requires them to submit to an interview by the Internal Security Department and to any restrictive conditions imposed on them.

The law does not include provision for granting refugee or asylee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government does not grant first asylum. However, the authorities usually permit persons who make claims for asylum to have their status determined by the U.N. High Commissioner for Refugees (UNHCR) for possible resettlement elsewhere. There were no reports that persons were returned to a country where they feared persecution. A small number of ethnic Chinese persons from Indonesia often enter the country as visitors for temporary stays during episodes of racial or religious strife in that country.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully through democratic means. Opposition parties are free to contest elections, and the voting and vote-counting systems are fair and free from tampering; however, the PAP, which has held power continuously and overwhelmingly for more than 3 decades, uses the Government's extensive powers to place formidable obstacles in the path of political opponents. A general election was held on November 3, after the Prime Minister requested that Parliament be dissolved on October 18, more than 6 months before the end of its full term. The opposition contested only 29 of 84 seats and won only 2 seats. There were no opposition allegations of irregularities in the casting or counting of votes in the election. Nonetheless, the opposition continued to criticize what it describes as the long-ruling PAP's abuse of its incumbency advantages to extensively handicap opposition parties. The PAP has maintained its political dominance in part by developing voter support through effective administration and its record in bringing economic prosperity to the country, and in part by manipulating the electoral framework, intimidating organized political opposition, and circumscribing the bounds of legitimate political discourse and action. It intimidates the members of the opposition through the threat of libel suits and the subsequent loss of their political future, since large judgments in libel suits can lead to bankruptcy, and under the law bankrupt persons are ineligible to sit in Parliament. The belief that the Government may directly or indirectly harm the employment prospects of opposition supporters curtails opposition political activity; however, there were few allegations of such retaliation. As a result of these and other factors, opposition parties have been unable to challenge seriously the PAP's domination of the political system. The PAP claims that the lack of an effective opposition is due to disorganization, lack of leadership, and lack of persuasive alternative policies.

The country has a parliamentary system in which the majority party in Parliament has the authority to constitute the Government, which is headed by a prime minister. The parliamentary term is for no more than 5 years after the first sitting of Parliament following a general election. Parliament may be dissolved before the 5 years are up by presidential proclamation, which normally follows a request by the Prime Minister. Elections must be held within 3 months of Parliament's dissolution. Following the November 3 elections, the PAP held 82 of 84 elected seats; the opposition Singapore People's Party and the Workers' Party each held 1 seat. A constitutional amendment assures at least three opposition members in Parliament even if fewer than three actually are elected. Based on this provision, Workers' Party leader J.B. Jeyaretnam held a "nonconstituency" seat in Parliament until July, when he was declared bankrupt (see Section 2.a.). Following the November 3 elections, the Government allotted a nonconstituency seat to Singapore Democratic Alliance candidate Steve Chia, the opposition candidate who obtained the highest share of the vote in a constituency without winning a seat. In addition, the Government nominates and the President appoints "prominent citizens" to serve as Nominated Members of Parliament (N.M.P.'s) for 2-year terms. Nine N.M.P.'s sat in Parliament prior to its dissolution in October. Nonconstituency members' and N.M.P.'s voting rights are restricted.

The PAP has an extensive grassroots system and a carefully selected, highly disciplined membership, including M.P.'s who maintain close contact with their constituents and who deliver effective government services. The recent development of government-organized and predominantly publicly funded Community Development Councils (CDC's) to promote community development and cohesion and to provide welfare and other assistance services strengthens the PAP, which dominates these CDC's even in opposition-held constituencies. The PAP has used the threat to withdraw benefits as a means of assuring popular support. For example, during the last two election campaigns, the Prime Minister and other senior government officials pointedly warned voters that precincts that elected opposition candidates would have the lowest priority in government plans to upgrade public housing facilities. This threat heightened concerns among some observers about voters' genuine freedom to change their government.

The PAP also maintains its complete control of the political process by other means, including patronage, strong political influence over the press and reported influence over the courts, and restrictions on opposition political activities. Often these means are fully consistent with the law and the normal prerogatives of government, but the overall effect (and, many argue, ultimate purpose) is to disadvantage and weaken the

political opposition. For example, the Government altered the boundaries of election districts only 17 days before the November 3 general election. The electoral map was altered dramatically, with some constituencies abolished and many other constituency borders moved. Since 1988 it has changed all but nine single-seat constituencies into group representational constituencies (GRC's) of three to six parliamentary seats, in which the party with a plurality wins all of the seats. According to the Constitution, such changes are permitted to ensure ethnic minority representation in Parliament, because each GRC candidate list must contain at least one Malay, Indian, or other ethnic minority candidate. However, these changes made it more difficult for opposition parties, all of which have very limited memberships, to fill multimember candidate lists, especially when one member must be an ethnic minority. The PAP does not suffer from this disadvantage.

Although political parties legally are free to organize, they operate under the same limitations that apply to all organizations, and the authorities impose strict regulations on their constitutions, fundraising, and accountability (see Section 2.b.). Government regulations hinder attempts by opposition parties to rent office space in government housing or to establish community foundations. In addition government influence extends in varying degrees to academic, community service, and other NGO's.

The Films Act bans political films and recorded televised programs, which puts opposition parties at a disadvantage. The ban, which ostensibly is to prevent the sensationalist or emotional effect that video or film productions could have on political issues, applies to the PAP as well as opposition parties. Nonetheless, it has the effect of denying opposition parties, which already receive far less coverage than does the PAP in the government-influenced press and media, a potential outlet for their political messages (see Section 2.a.). The ability of political parties and others to use the Internet for political purposes during election campaigns is limited by a law passed in Parliament in August (see Section 2.a.).

The threat of civil libel or slander suits, which government leaders often use against political opponents and critics, and consistently win, continued to have a stifling effect on the full expression of political opinion and to disadvantage the formal political opposition (see Section 2.a.). Large judgments in libel suits can lead to bankruptcy, and under the law bankrupt persons are ineligible to sit in Parliament. The Penal Code also provides for criminal defamation offenses; however, there were no reports that it was used for political purposes during the year.

In July J.B. Jeyaretnam, an opposition nonelected M.P. from the WP lost an appeal in a defamation suit and was declared bankrupt for failure to pay the damages awarded against him in previous years. As a result of the bankruptcy declaration, Jeyaretnam also lost his parliamentary seat. The bankruptcy judgment stemmed from an article in a WP publication that criticized the organizers of Tamil Week, an event that promoted the use of the Tamil language. Jeyaretnam also owes other PAP-linked politicians, including the Prime Minister and Foreign Minister, portions of defamation damages from previous cases. He likely will be required to discharge all of these debts before the bankruptcy order against him is lifted. During the year, Senior Minister Lee Kuan Yew and six other ruling party figures renewed separate defamation suits against opposition member of Parliament J.B. Jeyaretnam for remarks he made during the 1997 election campaign; those same remarks were the basis for a 1998 judgment in favor of the Prime Minister. Jeyaretnam lost an appeal to have the suits dismissed due to the length of time since the remarks were made.

In the past, the Government also has used parliamentary censure or the threat of censure to humiliate or intimidate opposition leaders. Government entities also have used libel or slander suits, and dismissal from positions in government-related entities, to intimidate prominent opposition politicians.

The Government also has placed significant obstacles in the way of opposition political figures' candidacy for the presidency, a largely ceremonial position that nonetheless has significant budget oversight powers, as well as some powers over civil service appointments and internal security affairs. For example, opposition members are much less likely to be able to satisfy the requirement that they have experience in managing the financial affairs of a large institution, since many of the country's large institutions are government-run or linked to the Government. In the 1999 presidential election, only the Government's candidate was ruled in compliance with all the legal requirements; therefore in accordance with the law, actual voting was canceled, and S.R. Nathan was declared the duly elected President. Opposition political figures have claimed that such strict compliance requirements weaken opposition parties.

There is no legal bar to the participation of women in political life; however, the percentage of women in government and politics does not correspond to their percentage of the population. Women hold 10 of the 84 elected parliamentary seats. There are no female ministers.

There is no restriction in law or practice against minorities voting or participating in politics; they actively participate in the political process and are well represented throughout the Government, except in some sensitive military positions. Malays make up about 15 percent of the general population and hold about the

same percentage of regularly elected seats in Parliament. Indians make up about 7 percent of the general population and hold about 10 percent of the regularly elected seats in Parliament. Minority representation in Parliament is, in part, the result of a legal requirement that candidate slates in every multi-seat constituency must have at least one minority representative.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Efforts by independent organizations to investigate and evaluate government human rights policies face the same obstacles as those faced by opposition political parties. A handful of domestic nongovernmental organizations criticize restrictions on human rights or suggest changes that would relax or remove restrictions. NGO's are subject to registration, and thus control by the Government, under the Societies Act (see Section 2.b.). Two organizations that criticized the Government on human rights grounds were declared "political" organizations by the Government in March, but their operations were unaffected (see Section 2.b.).

In recent years, the Government has permitted international human rights organizations to observe human rights related court cases. In 1997 and 1999, the Government permitted both Amnesty International and the International Commission of Jurists (ICJ) to observe legal proceedings against two opposition politicians. The ICJ's and Amnesty International's criticisms of these cases were reported fully in the local press, and the Government responded vigorously in the press, alleging bias and citing alleged factual errors. In July opposition politician J.B. Jeyaretnam's bankruptcy appeal was witnessed by a Canadian observer, who acted as a representative of both Amnesty International and the Lawyers' Rights Watch in Canada.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution states that all persons are equal before the law and entitled to the equal protection of the law, and the Government carries out these provisions in practice. The Constitution contains no explicit provision providing equal rights for women and minorities. Mindful of the country's history of intercommunal tension, the Government takes affirmative measures to ensure racial, ethnic, religious, and cultural nondiscrimination. Social, economic, and cultural benefits and facilities are available to all citizens regardless of race, religion, or sex.

Women

It does not appear that violence or abuse against women is a widespread problem. The Penal Code and the Women's Charter criminalize domestic violence and sexual or physical harassment. A victim of domestic violence can obtain court orders barring the spouse from the home until the court is satisfied that the spouse has ceased his aggressive behavior. Court orders for protection against violent family members have increased in recent years, in part because the definition of violence includes intimidation, continual harassment, or restraint against one's will. The Penal Code prescribes mandatory caning and a minimum imprisonment of 2 years for conviction on a charge of "outraging modesty" that causes the victim fear of death or injury. The press gives fairly prominent coverage to instances of abuse or violence against women. There are several organizations that provide assistance to abused women. The Association of Women for Action and Research (AWARE) has a hot line that offers counseling and legal advice. The Family Protection and Welfare Service, an office of the Ministry of Community Development and Sports, documents physical and psychological abuse, and provides counseling and legal services to abused women. In July 1999, the Council of Women's Organizations established a crisis center for abused persons. The Star shelter accepts children, women, and men, and can accommodate up to 30 persons. The Government actively enforces the law against rape, which provides for imprisonment of up to 20 years and caning for offenders. Under the law, rape only can be committed by a man, and spousal rape is not a crime.

Prostitution is legal. Prostitutes are required to undergo periodic health checks and to carry a health card. Public solicitation, living on the earnings of a prostitute, and maintaining a brothel are illegal. The authorities periodically carry out crackdowns on solicitation for prostitution, and arrest and deport foreign prostitutes, particularly when their activities take place outside of informally designated red light areas. Sexual intercourse with girls under the age of 16 is illegal. There is no evidence that child prostitution is a problem.

Trafficking in women for the purpose of prostitution is a problem (see Sections 6.c. and Section 6.f.).

Women enjoy the same legal rights as men in most areas, including civil liberties, employment, commercial activity, and education. The Women's Charter gives women, among other rights, the right to own property, conduct trade, and receive divorce settlements. Muslim women enjoy most of the rights and protections of the Women's Charter. For the most part, Muslim marriage law falls under the administration of the Muslim Law Act,

which empowers the Shari'a court to oversee such matters. Those laws allow Muslim men to practice polygyny, although requests to take additional spouses may be refused by the Registry of Muslim Marriages, which solicits the views of an existing spouse or spouses and reviews financial capability. Both men and women have the right to unilateral divorce; however, women face significant difficulties in initiating unilateral divorce proceedings, which often prevents them from pursuing proceedings.

Women constitute 42 percent of the labor force and are well represented in many professions but hold few leadership positions in the private sector. They still hold the preponderance of low-wage jobs such as clerks and secretaries. The average salary of women is 72 percent of that of men (compared with 68 percent 10 years ago). Observers note that the wage differential is smaller in professional jobs and attribute much of the overall wage disparity to average lower educational qualifications by women, and to fewer years of job experience by women due to family commitments, rather than discrimination. There are no specific laws prohibiting stalking or sexual harassment. However, other laws, such as those prohibiting insulting modesty and the Miscellaneous Offences Act, successfully are used to prosecute these two offenses. Sexual harassment does not appear to be a widespread problem.

Some areas of discrimination remain. Children born overseas to female citizens are not granted citizenship automatically, while those of male citizens are. Beginning in 2000, female citizens became able to sponsor their noncitizen husbands for citizenship. Female civil service employees who are married do not receive health benefits for their spouses and dependents as do male government employees.

Children

The Government demonstrates its strong commitment to children's rights and welfare through its well-funded systems of public education and medical care. Access to public education and medical care is equal for all children. In 2000 the Government enacted legislation that would make 6 years of education in public schools compulsory by 2003. Although school attendance has not been compulsory, virtually 100 percent of children are enrolled through grade 6, and the dropout rate for secondary school is low. The Children and Young Persons Act establishes protective services for orphaned, abused, disabled, or troubled children, and creates a juvenile court system. The Ministry of Community Development works closely with the National Council for Social Services to oversee children's welfare cases. Voluntary organizations operate most of the homes for children, while the Government funds up to 50 percent of all child costs, which include normal living expenses and overhead, as well as expenses for special schooling, health care, or supervisory needs.

There is no societal pattern of abuse of children.

The Ministry for Community Development and Sports sponsors activities promoting children's causes, including family stability. This agency, along with several NGO's, particularly focuses on keeping fathers involved in their children's lives and on preventing child abuse.

Persons with Disabilities

The Government maintains a comprehensive code on barrier-free accessibility, which establishes standards for facilities for the physically disabled in all new buildings and mandated the progressive upgrading of older structures. Although there is no legislation that addresses the issue of equal opportunities for persons with disabilities in education or employment, the National Council of Social Services, in conjunction with various voluntary associations, provides an extensive job training and placement program for the disabled. Informal provisions in education have permitted university matriculation for visually impaired, deaf, and physically disabled students. The Government allows a tax deduction of up to \$1,900 (SD 3,500) per individual for families with a disabled family member. Mental and physically disabilities are treated in the same way. Press coverage of the activities and achievements of the disabled is extensive, and discrimination or abuse of persons with disabilities does not appear to be a problem.

National/Racial/Ethnic Minorities

Ethnic Malays constitute approximately 15 percent of the total population. The Constitution acknowledges them as "the indigenous people of Singapore" and charges the Government to support and promote their political, educational, religious, economic, social, cultural, and language interests. The Government has taken steps to encourage greater educational achievement among Malay students as a key to economic advancement. While progressing, ethnic Malays have not reached the educational or socioeconomic levels achieved by the ethnic Chinese majority, the ethnic Indian minority, or the Eurasian community. Malays remain underrepresented at senior corporate levels, and, some have claimed, in certain sectors of government and the military. This reflects their historically lower education and economic position, but some argue that it also is

a result of employment discrimination. During 1999 there was great debate over the fact that advertisements often specify ethnicity and gender requirements or require fluent Mandarin speakers. The Government responded by issuing "guidelines" that called for eliminating language referring to age, gender, or ethnicity; restrictive language that referred to attributes relevant to a job, such as "Chinese speaker" or "physically strong" remains acceptable. These guidelines generally are obeyed.

The Presidential Council on Minority Rights examines all pending bills to ensure that they are not disadvantageous to a particular group. It also reports to the Government on matters affecting any racial or religious community and investigates complaints.

The Government enforces ethnic ratios for publicly subsidized housing, where the majority of citizens live and own their own units, a policy designed to achieve an ethnic mix more or less in proportion to that in the society at large.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides all citizens with the right to form associations, including trade unions; however, Parliament may impose restrictions based on security, public order, or morality grounds. The right of association is delimited by the Societies Act and by labor and education laws and regulations. Under these laws, any group consisting of 10 or more persons is required to register with the Government. The Trade Unions Act authorizes the formation of unions with broad rights, albeit with some narrow restrictions, such as prohibitions on the unionization of uniformed employees. According to government statistics, the national labor force is made up of approximately 2.2 million workers, approximately 350,000 of whom are represented by 72 unions. Almost all of the unions (which represent virtually all of the union members) are affiliated with the National Trades Union Congress (NTUC), an umbrella organization that has a close relationship with the Government.

The NTUC unabashedly acknowledges that its interests are closely linked with those of the ruling PAP, a relationship often described by both as "symbiotic." The NTUC secretary general (SG), Lim Boon Heng, a PAP M.P., is a member of the Cabinet as Minister in the Prime Minister's Office. It is common for young PAP M.P.'s to be given leadership positions in the NTUC or a member union. NTUC policy prohibits union members who actively support opposition parties from holding office in affiliated unions. While the NTUC is financially independent of the PAP, with income generated by NTUC-owned businesses, the NTUC and the PAP share the same ideology and work closely with management in support of nonconfrontational labor relations.

Workers, other than those in essential services, have the legal right to strike but rarely do so. There are no specific laws that prohibit retaliation against strikers. The law provides that, in order to strike, unionized workers must first obtain a majority vote in favor of the strike by secret ballot. No strikes have occurred since 1986. Most disagreements are resolved through informal consultations with the Ministry of Manpower. If conciliation fails, the disputing parties usually submit their case to the Industrial Arbitration Court, which has representatives from labor, management, and the Government. Besides these labor dispute mechanisms and the close working relationship and shared views among labor, management, and the Government, the maintenance of labor peace has been a product of high economic growth rates, regular wage increases, and a high degree of job mobility in a virtual full-employment economy. In addition the widely held view that labor conflict would undermine the country's economic competitiveness and attractiveness to investors, and a cultural aversion to confrontation help to maintain a harmonious labor situation.

The NTUC is free to associate regionally and internationally.

b. The Right to Organize and Bargain Collectively

Collective bargaining is a normal part of labor-management relations in the industrial sector. Agreements between management and labor are renewed every 2 to 3 years, although wage increases are negotiated annually. Yearly guidelines on raises and bonus pay issued by the National Wages Council (NWC), a group composed of labor, management, and government representatives, serve as the starting point for bargaining agreements. In 1999 in response to the economic downturn, the Government adopted an NWC proposal in which, subject to negotiation in each enterprise, up to 10 percent of salaries would be considered "variable" each month, allowing companies to eliminate that portion of pay if financial problems necessitated it.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Government prohibits forced or compulsory labor, including forced and bonded labor by children, and generally enforces this provision effectively. Under sections of the Destitute Persons Act, any indigent person may be required to reside in a welfare home and engage in suitable work. The International Labor Organization (ILO) has criticized the coercive terms of this act, which includes penal sanctions, as not in compliance with the ILO Convention on Forced Labor. The Government maintains that the act is social legislation that provides for the shelter, care, and protection of destitute persons, and that work programs are designed to reintegrate individuals into society.

d. Status of Child Labor Practices and Minimum Age for Employment

The Government enforces the Employment Act, which prohibits the employment of children under the age of 12. Restrictions on the employment of children between the ages of 12 and 16 are rigorous and enforced fully. Children under the age of 14 are prohibited from employment in any industrial undertakings. Exceptions include family enterprises; children may work in an industrial undertaking in which only members of the same family are employed. A child who is 12 years old or older may be engaged in "light work suited to his capacity." A medical officer must certify suitability for such light work. Employers must notify the Commissioner of Labor within 30 days of hiring a child between the ages of 14 and 16 and must attach medical certification of fitness for employment. The incidence of children taking up permanent employment is low, and abuses are almost nonexistent. The Government prohibits forced and bonded labor by children, and such practices are not known to occur.

Ministry of Manpower regulations prohibit night employment of children and restrict industrial work for children between the ages of 14 and 16 to no more than 7 hours a day, including the hours spent in school. Children may not work on commercial vessels, with any machinery in motion, on live electrical apparatus lacking effective insulation, or in any underground job. The Minister of Manpower effectively enforces these laws and regulations.

The Government ratified ILO Convention 182 on the worst forms of child labor in June.

e. Acceptable Conditions of Work

There are no laws or regulations on minimum wages or unemployment compensation. However, the National Wages Council, a tripartite body consisting of government, labor, and business, monitors the economy and makes annual recommendations to the Government concerning wage guidelines. The labor market offers good working conditions and relatively high wages, which provide a decent standard of living for a worker and family.

The Employment Act sets the standard legal workweek at 44 hours and provides for 1 rest day each week.

The Ministry of Manpower effectively enforces laws and regulations establishing working conditions and comprehensive occupational safety and health laws. Enforcement procedures, coupled with the promotion of educational and training programs, have been implemented to reduce the frequency of job-related accidents. While a worker has the right under the Employment Act to remove himself from a dangerous work situation, his right to continued employment depends upon an investigation of the circumstances by the Ministry of Manpower.

Because of a domestic labor shortage, approximately 600,000 foreign workers are employed legally, constituting about 30 percent of the total work force. There are no reliable estimates of the number of foreigners working illegally. Most foreign workers are unskilled laborers and household servants from other Asian countries. Foreign workers face no legal wage discrimination. However, they are concentrated in low-wage, low-skill jobs and often are required to work long hours. Most foreign construction workers live on-site in substandard conditions. Although the great majority of the more than 100,000 maids (mainly from the Philippines, Indonesia, and Sri Lanka) work under clearly outlined contracts, their low wages, their dependence on their employers for food and lodging, and the fact that they often live and work relatively isolated from the rest of society make them vulnerable to mistreatment and abuse. A 1998 amendment to the Penal Code, in response to a reported increase in cases of maid abuse, increased the punishment for confining or sexually or physically abusing a maid. The authorities have fined or imprisoned employers who have abused domestics, often with great publicity. Substantiated cases of abuse of foreign domestics fell by almost half following the amendment, from 157 cases in 1997 to 89 in 1998. In 2000 there were 87 cases, and there were 49 cases from January to July.

Most maids work 6 days per week from very early morning until late in the evening. Many contracts allow only

1 day off per month. Contracts often stipulate that, even when she is ostensibly not working, a maid must remain on the premises except for official duties or on her day off. According to Ministry of Manpower Statistics, wages average approximately \$250 (SD456) per month (not including free room and board). Maids often must put aside most or all of their wages for the first several months of employment to reimburse their placement agents. Work permits for low-wage workers stipulate the cancellation of such permits if workers apply to marry or marry a citizen or permanent resident.

Many lower paid foreign workers not covered under the Employment Act are ineligible for the limited free legal assistance that is available to citizens. However, the Ministry of Manpower also offers mediation services for all employees, foreign or local. The Government allows complainants to seek legal redress.

f. Trafficking in Persons

The law prohibits trafficking in persons; however trafficking in persons is a problem. The country is a destination for trafficking in women for the purpose of prostitution, primarily from India but also from Thailand, China, Sri Lanka, Indonesia, Burma, Malaysia, and Colombia. Almost all foreign prostitutes reportedly are aware when they enter the country that they will be employed as prostitutes. However, some may have their passports held by employers after their arrival, or are subject to other coercive circumstances. In other cases, recruiters in source countries offer women jobs as maids, bar hostesses or waitresses, and sometimes offer up-front payment as inducement. Once in the country, these women are forced to work as prostitutes, and are subject to threats and violence if they resist. Employers may confiscate their passports, limiting opportunities to leave. Police reportedly conduct raids approximately once per month in an effort to maintain some control over the situation. While prostitution is legal, public solicitation is not, and police periodically carry out crackdowns on prostitutes, particularly those operating outside of informally designated red light areas (see Section 5). Foreign prostitutes, including trafficked victims, detained in these raids usually quickly are deported. Foreign prostitutes also are deported immediately if they test positive for HIV/AIDS or other sexually transmitted diseases. Authorities prosecute some cases of trafficking. In February a court jailed for 30 months a man who trafficked 10 women from Thailand, 6 from Vietnam, and 4 from China to be waitresses on a Singapore-based cruise ship. The young women were required to work as prostitutes on the ship after their arrival.

The three major laws that govern trafficking and prostitution are the Women's Charter, the Children and Young Person's Act, and the Penal Code. The law makes trafficking in women and children--whether or not it is related to prostitution--punishable by up to 5 years' imprisonment, a \$5,434 (SD10,000) fine, and caning. The Penal Code covers trafficking and wrongful constraint of men. Convicted traffickers would typically be found guilty of violating more than one law. There is no specific campaign to combat or prevent the use of fraud or coercion to recruit foreign women as prostitutes, although some persons have been prosecuted and punished for crimes involving such acts.

The Government substantially strengthened penalties against employers who abuse domestics in 1998, and vigorously prosecutes cases of abuse. In practice, successful investigation and prosecution of such cases require that victims remain in the country. The Government requires them to remain in the country until and while the case is prosecuted. Victims do not receive government assistance during this period or at other times, and sometimes state that they are unable to receive permission for alternative employment, leaving them dependent on support from the home country embassy. NGO's are not known to provide assistance to trafficking victims.

Religious organizations occasionally assist trafficking victims but are limited by the strict laws regarding immigration; there is a legal obligation to report to immigration authorities foreigners who have violated immigration laws. Victims' respective embassies often are the only avenue of assistance; however, embassies rarely are asked to provide assistance to nationals who have been arrested for prostitution. Some embassies find it difficult to ensure that victims' rights are addressed.